

## Comptroller of the Currency, Treasury

## § 116.220

may engage in the proposed activities upon the expiration of 30 days after the filing date of your notice, unless the OCC takes one of the following actions before the expiration of that time period:

(a) The OCC notifies you in writing that you must file additional information supplementing your notice. If you are required to file additional information, you may engage in the proposed activities upon the expiration of 30 calendar days after the date you file the additional information, unless the OCC takes one of the actions described in paragraphs (b) through (d) of this section before the expiration of that time period;

(b) The OCC notifies you in writing that your notice is subject to standard

treatment under this subpart. The OCC will subject your notice to standard treatment if it raises a supervisory concern, raises a significant issue of law or policy, or requires significant additional information;

(c) The OCC notifies you in writing that it is suspending the applicable time frames under § 116.190; or

(d) The OCC notifies you that it disapproves your notice.

### STANDARD TREATMENT

#### § 116.210 What will the OCC do after I file my application?

(a) *OCC action.* Within 30 calendar days after the filing date of your application, the OCC will take one of the following actions:

If the OCC . . .	Then . . .
(1) Notifies you, in writing, that your application is complete * * *	The applicable review period will begin on the date that the OCC deems your application complete.
(2) Notifies you, in writing, that you must submit additional information to complete your application * * *	You must submit the required additional information under § 116.220.
(3) Notifies you, in writing, that your application is materially deficient * * *.	The OCC will not process your application.
(4) Takes no action * * *	Your application is deemed complete. The applicable review period will begin on the day the 30-day time period expires.

(b) *Waiver requests.* If your application includes a request for waiver of an information requirement under § 116.25(b), and the OCC has not notified you that you must submit additional information under paragraph (a)(2) of this section, your request for waiver is granted.

#### § 116.220 If the OCC requests additional information to complete my application, how will it process my application?

(a) You may use the following chart to determine the procedure that applies to your submission of additional information under § 116.210(a)(1):

If, within 30 calendar days after the date of the OCC's request for additional information . . .	Then, the OCC may . . .	And . . .
(1) You file a response to all information requests * * *.	<p>(i) Notify you in writing within 15 days after the filing date of your response that your application is complete* * *.</p> <p>(ii) Notify you in writing within 15 calendar days after the filing date of your response that you must submit additional information regarding matters derived from or prompted by information already furnished or any additional information necessary to resolve the issues presented in your application * * *.</p> <p>(iii) Notify you in writing within 15 calendar days after the filing date of your response that your application is materially deficient * * *.</p> <p>(iv) Take no action within 15 calendar days after the filing date of your response * * *.</p>	<p>The applicable review period will begin on the date that the OCC deems your application complete.</p> <p>You must respond to the additional information request within the time period required by the OCC. The OCC will review your response under the procedures described in this section.</p> <p>The OCC will not process your application.</p> <p>Your application is deemed complete. The applicable review period will begin on the day that the 15-day time period expires.</p>

**§ 116.230**

**12 CFR Ch. I (1–1–12 Edition)**

If, within 30 calendar days after the date of the OCC's request for additional information . . .	Then, the OCC may . . .	And . . .
(2) You request an extension of time to file additional information * * *.	(i) Grant an extension, in writing, specifying the number of days for the extension * * *.	You must fully respond within the extended time period specified by the OCC. The OCC will review your response under the procedures described under this section.
	(ii) Notify you in writing that your extension request is disapproved * * *.	The OCC will not process your application further. You may resubmit the application for processing as a new filing under the applicable regulation.
(3) You fail to respond completely * * *	(i) Notify you in writing that your application is deemed withdrawn * * *.	The OCC will not process your application further. You may resubmit the application for processing as a new filing under the applicable regulation.
	(ii) Notify you, in writing, that your response is incomplete and extend the response period, specifying the number of days for the respond extension * * *.	You must fully respond within the extended time period specified by the OCC. The OCC will review your response under the procedures described under this section.

(b) The OCC may extend the 15-day period referenced in paragraph (a)(1) of this section by up to 15 calendar days, if the OCC requires the additional time to review your response. The OCC will notify you that it has extended the period before the end of the initial 15-day period and will briefly explain why the extension is necessary.

(c) If your response filed under paragraph (a)(1) of this section includes a request for a waiver of an informational requirement, your request for a waiver is granted if the OCC fails to act on it within 15 calendar days after the filing of your response, unless the OCC extends the review period under paragraph (b). If the OCC extends the review period under paragraph (b), your request is granted if the OCC fails to act on it by the end of the extended review period.

**§ 116.230 Will the OCC conduct an eligibility examination?**

(a) *Eligibility examination.* The OCC may notify you at any time before it deems your application complete that it will conduct an eligibility examination. If the OCC decides to conduct an eligibility examination, it will not deem your application complete until it concludes the examination.

(b) *Additional information.* The OCC may, as a result of the eligibility examination, notify you that you must submit additional information to complete your application. If so, you must respond to the additional information request within the time period required

by the OCC. The OCC will review your response under the procedures described in § 116.220.

**§ 116.240 What may the OCC require me to do after my application is deemed complete?**

After your application is deemed complete, but before the end of the applicable review period,

(a) The OCC may require you to provide additional information if the information is necessary to resolve or clarify the issues presented by your application.

(b) The OCC may determine that a major issue of law or a change in circumstances arose after you filed your application, and that the issue or changed circumstances will substantially effect your application. If the OCC identifies such an issue or changed circumstances, it may:

(1) Notify you, in writing, that your application is now incomplete and require you to submit additional information to complete the application under the procedures described at § 116.220; and

(2) Require you to publish a new public notice of your application under § 116.250.

**§ 116.250 Will the OCC require me to publish a new public notice?**

(a) If your application was subject to a publication requirement, the OCC may require you to publish a new public notice of your application if: